

Amendment No. 9 to SB1933

Southerland
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1933*

House Bill No. 1421

by inserting the following language as a new Section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____.

(a) As used in this section:

(1) "Minority-owned business" means a business enterprise that is at least fifty-one percent (51%) owned by a minority individual or group(s), or, if the business is publicly-owned, the stock of which is at least fifty-one percent (51%) owned by one (1) or more minority groups, and whose management and daily business operations are controlled by one (1) or more of those individuals.

Holders of a state-issued certificate of franchise authority shall presume that minority includes, but is not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and other groups, as defined herein;

(2) "Women-owned business" means a business enterprise that is at least fifty-one percent (51%) owned by a woman or women, or, if the business is publicly-owned, the stock of which is at least fifty-one percent (51%) owned by one (1) or more women, and whose management and daily business operations are controlled by one or more of those individuals;

(3) "Disabled veteran" means a veteran of the army, navy or air service of the United States with a service-connected disability; and

(4) "Other groups" means those groups whose members are found to be disadvantaged by the federal small business administration pursuant to §8(d) of the federal Small Business Act, as it may be amended from time to time, or the federal secretary of commerce pursuant to §5 of federal Executive Order 11625.

(b) Each holder of a state-issued certificate of franchise authority pursuant to this

act shall file with the Tennessee regulatory authority a minority, women and disabled veteran-owned business participation plan once annually that demonstrates an intention to actively solicit bids from the identified businesses when establishing, providing or expanding cable or video services and related support facilities and to maximize participation of the defined businesses through both prime and second tier business contracting opportunities. Such plan shall contain the certificate holder's plan for purchasing goods and services from minority, women and disabled veteran-owned businesses and information on programs, if any, to provide technical assistance to such businesses.

(c) In addition, by January 31 of each year, any holder of a state-issued certificate of franchise authority pursuant to this act shall prepare and submit a report to the Tennessee regulatory authority entitled the "Video Services Minority, Women and Disabled Veteran-Owned Business Participation Report." Such report shall provide the results of the certificate holder's adherence to the plan filed pursuant to subsection (b). The Tennessee regulatory authority shall receive the reports and shall annually transmit a synopsis of the reports to the chairs and membership of the senate commerce, labor and agriculture committee and the house commerce committee.